

## **WELSH GUARDS CHARITY WHISTLEBLOWING POLICY/PROCEDURE**

### Introduction

The Public Interest Disclosure Act 1998 (PIDA) amended the Employment Rights Act 1996 (“the Act”) to create a framework for whistleblowing across the private, public and voluntary sectors. The Act provides individuals in the workplace with protection from victimisation if they make a protected disclosure about malpractice or wrongdoing at work in accordance with the Act’s provisions.

The Welsh Guards Charity is a ‘prescribed person’ for the purposes of the Act. This means that you do not need to be an employee of the Welsh Guards Charity in order to raise a genuine concern of malpractice or wrongdoing to the Welsh Guards Charity.

Everyone should have the confidence to speak up, and to know that those raising a genuine concern will not suffer any detriment. Employees of external parties reporting a genuine concern of certain malpractice to the Welsh Guards Charity as an independent body will be afforded the same protection under the Act as if they had reported the concern direct to their own employer.

This policy sets out the Welsh Guards Charities procedure for receiving concerns about malpractice or wrongdoing and some guidance on the ‘dos and don’ts’ of reporting a concern.

It is important that the Welsh Guards Charity knows about potential malpractice or wrongdoing as soon as possible, so that, where appropriate, it can act quickly and effectively to put matters right. Prompt action may put a swift halt to malpractice, minimise the cost of remedial action, lessen the risk of claims and legal action, and increase the credibility of the Welsh Guards Charity.

### What should be reported under the Whistleblowing policy?

Issues which should be reported under this policy are referred to in the Public Interest Disclosure Act 1998 as ‘qualifying disclosures’. A qualifying disclosure is one which is made in the public interest and tends to show one or more of the following:

- That a criminal offence has been committed, is being committed or is likely to be committed.
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject.
- That a miscarriage of justice has occurred, is occurring or is likely to occur.
- That the health or safety of any individual has been, is being or is likely to be endangered.

- That the environment has been, is being or is likely to be damaged or
- That information tending to show any matter falling within any one of the preceding paragraphs has been, or is likely to be, deliberately concealed.

Examples of disclosures which could be made to the Welsh Guards Charity include allegations of the following kind:

- Fraud, theft, corruption, extravagance or unnecessary waste of charitable funds.
- Corruption in letting or managing contracts.
- That a criminal offence is, or is likely to be, committed such as making unauthorised disclosures of confidential information.
- Risk or damage to Regimental integrity or reputation.
- Offering, taking or inviting bribes.

Throughout this policy, we refer in general to such above matters as ‘concerns of malpractice’.

Any concern of malpractice must be a genuine concern and cannot be made in bad faith. However, it does not matter if you do not have conclusive evidence of the concern occurring, or if you are in fact mistaken and the concern has in fact not occurred – as long as you reasonably believe what you tell us. The Welsh Guards Charity realises that those closest to the work of the charity are often the first to realise that there may be something wrong and therefore the Welsh Guards Charity encourages everyone, whether they work for the Charity, are fundraising or being helped by the Charity, to raise genuine concerns about malpractice at the earliest stage rather than wait for proof. If you have any personal interest in the matter, we do ask that you tell us.

You will also need to be mindful of the distinction between a whistleblowing concern and a grievance. Grievances are concerns about an individual’s personal circumstances and should be addressed through the chain of command.

Whistleblowing matters are those that are about unlawful conduct, financial malpractice or dangers to personal health or safety or the environment.

### How to raise a concern

In the first instance, if you feel you can first raise your concern direct with Regimental Headquarters Welsh Guards then you should do so through via the Regimental Adjutant or Assistant Regimental Adjutant at the email addresses below or, if you feel you need to report the matter direct to the Welsh Guards Charity you can do so by contacting the Regimental Trustee responsible for complaints & whistleblowing, Captain Barney Branston (contact address below). You do not have to have reported the concern to Regimental Headquarters before you inform the Regimental Trustee if you have good reason not to, for example you are concerned that you will face detriment as a result of doing so or that the evidence will be destroyed.

Regimental Adjutant, Colonel T C S Bonas – [tom.bonas541@mod.gov.uk](mailto:tom.bonas541@mod.gov.uk)

Assistant Regimental Adjutant, Major ME Browne BEM – [martin.browne104@mod.gov.uk](mailto:martin.browne104@mod.gov.uk)

Regimental Trustee – Captain Barney Branston  
5 Essex Court  
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